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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/678,046	10/01/2003	Courtney Konopka	81053 7114	6653

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EXAMINER	
FLEARY, CAROLYN FATIMAH	
ART UNIT	**PAPER NUMBER**
2152	

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/678,046	KONOPKA ET AL.	
	Examiner	Art Unit	
	Carolyn F. Fleary	2152	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *10/1/2003*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-20* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-20* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

TC

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is defective. A new oath or declaration in compliance with 37 CFR 1.67(a) identifying this application by application number and filing date is required. See MPEP §§ 602.01 and 602.02.

The oath or declaration is defective because:

- Non-initialed and/or non-dated alterations have been made to the oath or declaration. See 37 CFR 1.52(c).

Claim Objections

2. Claim 8 objected to because of the following minor informalities: On line 17 of page 17 the word "communication" should be communicating. Appropriate correction is required.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 1 and 16 are rejected under 35 U.S.C. 103(a) as being anticipated over Iglehart et al. (US 5,903,626)

In regards to claim 1, Iglehart et al. discloses a method for use in remotely diagnosing an electronic device (abs ll. 1-5 col. 2 ll. 56-59), comprising:

- Initiating (i.e. customer or service technician) a diagnostic analysis of an electronic device (fig. 2-#50, col. 2 ll. 6-67, col. 3 ll. 1-4,col. 4 ll. 6-12, col. 4 ll. 44-47);
- Identifying the electronic device. Iglehart et al. discloses a technician identifying a device via a user interface (col. 2 ll. 53-67, col. 3 ll. 1-4);
- receiving the plurality of scripts (i.e. sets of troubleshooting operations/procedures) for diagnosing the electronic device communicated over distributed network. Iglehart et al. teaches the set of troubleshooting operations/procedures are communicated over ISDN lines (fig. 1-#28 distributed network or PBX) to remote devices and to a technician at a user interface (col. 2 ll. 33-41, col. 3 ll. 17-55)
- remotely initiating a first diagnostic instruction with at least one of the plurality of scripts (fig. 2-#52 col. 4 ll. 9-17); Iglehart et al. teaches plurality of scripts as troubleshooting operations and or procedures sent for execution on a remote deice (col. 2 ll. 20-22; 36-41).
- receiving a response based on the first diagnostic instruction (col. 3 ll. 62-66);
- determining a second diagnostic instruction based on the response (fig. 2-#58, col. 4 ll. 64-67, col. 5 ll. 1-4) with at least one of the plurality of scripts; and
- remotely initiating the second diagnostic instruction (col. 5 ll. 3-4) with at least one of the plurality of scripts (col. 5 ll. 3-4, col. 2 ll. 34-41).

In regards to claim 16, Iglehart et al. discloses a system for use in remotely diagnosing an electronic device, comprising:

- means for initiating(i.e. customer or service technician) a diagnostic analysis of an electronic device (fig. 2-#50, col. 2 ll. 6-67, col. 3 ll. 1-4,col. 4 ll. 6-12, col. 4 ll. 44-47);
- means for identifying the electronic device; Iglehart et al. discloses a technician identifying a device via a user interface (col. 2 ll. 53-67, col. 3 ll. 1-4);

- means for receiving a plurality of scripts i.e. sets of troubleshooting operations/procedures) for diagnosing the electronic device communicated over a distributed network Iglehart et al. teaches the set of troubleshooting operations/procedures are communicated over ISDN lines (fig. 1-#28 distributed network or PBX) to remote devices and to a technician at a user interface (col. 2 ll. 33-41, col. 3 ll. 17-55)
- means for remotely initiating a first diagnostic instruction with at least one of the plurality of scripts (fig. 2-#52 col. 4 ll. 9-17); Iglehart et al. teaches plurality of scripts as troubleshooting operations and or procedures sent for execution on a remote deice (col. 2 ll. 20-22; 36-41).
- means for receiving a response based on the first diagnostic instruction(col. 3 ll. 62-66);
- means for determining a second diagnostic instruction based on the response (fig. 2-#58, col. 4 ll. 64-67, col. 5 ll. 1-4) with at least one of the plurality of scripts; and
- means for remotely initiating the second diagnostic instruction (col. 5 ll. 3-4) with at least one of the plurality of scripts (col. 5 ll. 3-4, col. 2 ll. 34-41).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

6. **Claim 2 - 4, 6, 17, 18, and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iglehart et al. (US 5,903,626) in view of Caswell et al. (US 5,964,891)**

In regards to claim 4 and 20, Iglehart et al. discloses identifying the electronic device (col. 2 ll. 66-67, col. 3 ll. 1-4); Iglehart et al. teaches a service technician identifies a remote device.

Iglehart et al. does not teach further comprising receiving the device controller prior to identifying the electronic device.

Caswell et al. teaches a diagnostic system which includes a diagnostic server to initiate a plurality of tests to detect faulty modules on a network system upon receiving a diagnostic request. A diagnostic terminal is coupled to the diagnostic system to transmit diagnostic requests to the diagnostic server. Caswell et al. further teaches the receiving of the device controller in the disclosing of the diagnostic requests rendered in a web page is sent to the diagnostic server (col. 9. ll. 11-15). The diagnostic server contains a web server and a diagnostic engine (fig 3). The web server decodes the diagnostic request and then the request is sent to the diagnostic engine, which invokes the test routines contained in the diagnostic request for the appropriate electronic device (col. 9 ll. 31-36, 40-46).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. by having a diagnostic server/engine receive a diagnostic request prior to the diagnostic server/engine identifying a remote electronic device, as taught by Caswell et al. (col. 9 ll. 31-67, col. 10 ll. 1-35) in order for the diagnostic controller to be able to identify a remote device prior to executing a diagnostic procedure therein.

In regards to claim 2 and 17, Iglehart et al. teaches a service technician at uses a user interface program(i.e. UUI), which specify a particular device on which troubleshooting procedures are to be executed (col. 3 ll. 66-67, col. 2 ll. 1-5). The

technician instructs the UUI program to perform a set of trouble shooting operations designed to identify the cause of a malfunction (col.3 ll. 6-11).

Iglehart et al. is silent on wherein the receiving the plurality of scripts includes receiving at least one web page having the plurality of scripts.

Caswell et al. teach a user selecting appropriate device information (fig 10-#411 and fig. 10-412) result in the receipt of test selections/routines (i.e. scripts) on a web page (fig. 3-#143) of a diagnostic request on a diagnostic terminal (col. 8 ll. 15-48). The diagnostic request is submitted to a remote device via a diagnostic server. The results of the execution test routines on the remote device are displayed to a user on a web page (fig. 11, col. 8 ll. 63-67, col. 9 ll. 1-10).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. by receiving a plurality of test selections (i.e. scripts) on a webpage, as taught by Caswell et al. in order to display simple executable instructions to a user/operator that allow the user/operator at a central location to access a remote device via a diagnostic server (col. 8 ll. 33-67).

In regards to claim 3 and 18, Iglehart et al. teach remotely initiating a first diagnostic instruction (col. 4 ll. 9-17).

Caswell et al. teach decrypting at least a portion of the plurality of scripts prior to the initiating the first diagnostic instruction. Caswell et al. teach the decryption in disclosing the decoding of a diagnostic request (i.e. contains script) by a diagnostic server. The web server of the diagnostic server performs decoding by parsing of packages of data within the diagnostic request and forwarding them on to a diagnostic engine that executes the diagnostic routines associated with the received diagnostic request (See Caswell et al. col. 9 ll. 24-36).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. by decoding a portion of the diagnostic, as taught by Caswell et al. in view of Scholl et al. in order to permit the interpretation of data within the diagnostic requests and allowing the diagnostic engine to invoke routines that is specified in the diagnostic request for diagnosing a remote device (See Caswell et al. col. 9 ll. 24-47).

In regards to claim 6 Iglehart et al. teaches identifying the electronic device (col. 2 ll. 66-67, col. 3 ll. 1-4); Iglehart et al. teaches a service technician identifies a remote device. Iglehart et al. does not teach the method of claim 1, wherein the step of identifying the electronic device includes:

- determining if an identity of the electronic device can be directly determined; and
- requesting the identity of the electronic device from a user when the identity cannot be directly determined

Yun in view of Caswell et al. does not teach upon determining a device cannot be directly determined requesting the identify of the electronic device form a user.

Harter et al. discloses a browser request including a device type (identifier) to a server. Harter et al. teaches that several devices have the ability to provide their device type rather than querying a user. Java included in a web page attempts to identify the device (i.e. directly) or prompt the user for the device if it cannot be determined programmatically.

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. in view of Caswell et al. by determining a device cannot be directly determined requesting the identify of the electronic device form a user, as taught by Harter

et al. in order to reduce the number of errors introduced by misidentification of information entered manually by a user (See Harter col. 3 ll. 51-67, col. 4 ll. 1-6).

7. **Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Iglehart et al. (US 5,903,626) in view of Caswell et al. (US 5,964,891) further in view of Dara-Abrams et al. (US 6,826,512)**

In regards to claim 19, Iglehart et al. in view of Caswell et al. do not disclose the system of claim 18, wherein at least one of the plurality of scripts initiates a download over the distributed network to the electronic device.

Dara-Abrams et al. discloses a diagnostic system with a remote control device (fig. 2- #84) may be used to interact with the service selection menu (i.e. script menu) by providing user input indicative of a selected one of the consumer electronic devices and associated services (i.e. selection of script to execute on a device). The system allows download from external sources (e.g., the device manufacturer's Internet web site) and installation of software device drivers and applications to support networked consumer electronic devices when they perform their diagnostic tasks (col. 9 ll. 56-67, col. 10 1-10 ll. 51-65).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. in view of Caswell et al. by having a download distributed over a network , as taught by Dara-Abrams et al. in order to support networked consumer electronic devices when they perform their diagnostic tasks (col. 9 ll. 56-67, col. 10 1-10 ll. 51-65).

8. **Claim 5 rejected under 35 U.S.C. 103(a) as being unpatentable over Iglehart et al. (US 5,903,626) in view of Yun (US 2001/0011375)**

In regards to claim 5, Iglehart et al. discloses the method of claim 1, wherein a device is identified

Iglehart et al. does not disclose identifying the electronic device includes electronically accessing the electronic device and receiving an identity of the electronic device from the electronic device.

Yun discloses in figure 11-#1 requesting id information related to a remote device ([0088] – [0090]) in order to check an operational state of a remote device ([0091]).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Yun by accessing a device and receiving its identify, as taught by Yun in order to check and report the operational state of a remote device to determine if the device needs to be repaired or replaced (See Yun [0088]-[0091], [0101])

9. **Claim 7, 9-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Iglehart et al. (US 5,903,626) in view of Dara-Abrams et al. (US 6,826,512)**

In regards to claim 7, Iglehart et al. discloses the method of claim 1, further comprising:

- receiving from over the distributed network an initiation for the diagnosis of the electronic device (Iglehart et al. col. 4 ll. 9-17);

Iglehart et al. does not disclose

- receiving from over the distributed network the identification of the electronic device;
- determining a plurality of scripts to implement the diagnosis of the electronic device; and communicating the plurality of scripts over the distributed network.

Dara-Abrams et al. discloses upon receiving a request for support a maintenance server site (fig. 2-20) selects diagnosis procedures (i.e. plurality of scripts) from a database (fig. 2-#24) using device identification information (i.e. vendor, model number or serial number of the device) included in the request (col. 3 ll. 40-50) and communicates them over a distributed network (fig 2-#18).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. by receiving an identification of a remote device and using it to retrieve diagnosis services for the device, as taught by Dara-Abrams et al. in order to permit a diagnostic procedure associated with and identified device to be selected and used to identify potential faults within and electronic device (See Dara-Abrams et al. abs, col. 3 ll. 40-50).

In regards to claim 9, Iglehart et al. discloses a service technician using a user interface program to specify a particular remote device to be called and a test procedure/operation to be executed.

Iglehart et al. does not explicitly disclose the generation of a set of test procedures/operations (i.e. scripts) based on an identity of the electronic device.

Dara-Abrams et al. teach generating a plurality of scripts for diagnosing an electronic device based on an identify of the electronic device in disclosing: upon receiving a request for support a maintenance server site (fig. 2-20) selects diagnosis procedures (i.e. plurality of scripts) from a database (fig. 2-#24) using device identification information (i.e. vendor, model number or serial number of the device) included in the request (col. 3 ll. 40-50) and communicates them over a distributed network (fig 2-#18).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. by further having the generation of diagnosis procedures for

diagnosing a remote device based on its identity as taught by Dara-Abrams et al. in order to in order to permit a diagnostic procedure associated with and identified device to be selected and used to identify potential faults within and electronic device (See Dara-Abrams et al. abs, col. 3 ll. 40-50).

In regards to claim 10, Iglehart et al. teaches polling of device by in diagnostic testing of a device by way of a signal that triggers troubleshooting programs to interrogate remote devices during troubleshooting tests and collect and then send results back to a diagnostic device (See Iglehart et al. col. 4 ll. 56-61, col. 5 ll. 11-47)

Iglehart et al. does not teach in the method of claim 9 as modified above, wherein the plurality of scripts provides polling of the electronic device.

Dara-Abrams et al. teach a Test and Diagnostic procedure (fig. 1-# 110), residing on the Test and Diagnostic host device (fig. 1-106), controls the diagnosis of a remote device (fig. 1-#108) by the Test and Diagnostic device (fig. 1-#106). Dara-Abrams et al. discloses a method of scripts polling an electronic device (fig. 1-108) is disclosed in the following embodiment: The Test and Diagnostic procedure (fig. 1-# 110) includes a data collector (fig. 1 -#112) and a problem identifier (fig. 10-#114). The data collector fig. 1 -#112) is responsible for collecting data concerning the functionality of the r electronic device (fig. 1-108). The data is collected using the Test and Diagnostic device (fig. 1-#106) via various communication channels between the electronic device (fig. 1-108) and Test and Diagnostic device (fig. 1-#106). The problem identifier (fig. 10-#114) is responsible for utilizing the collected data to identify a problem with the electronic device (fig. 1-108).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. by having scripts which poll electronic devices as taught by Dara-

Abrams et al. in order to gather information from a remote electronic device and display diagnostic data to a service technician to facilitate the repair, maintenance or configuration of the remote electronic device from a central source (col. 4 ll. 29-64).

In regards to claim 11, Iglehart et al. discloses a signal that triggers troubleshooting programs to execute diagnostic tests (col. 3 ll. 5-11) on remote electronic devices (col. 2 ll. 54-59) troubleshooting tests and collect and then send results back to a diagnostic device (See Iglehart et al. col. 4 ll. 56-61, col. 5 ll. 11-47). Iglehart et al. teach the initiation of remote , col. 5 ll. 4-10) by a service technician for example sending a out a signal with test procedure/operations to request a regular scheduled check up of a remote electronic device (col. 2 ll. 12-19).

10. **Claim 8 rejected under 35 U.S.C. 103(a) as being unpatentable over Iglehart et al. (US 5,903,626) over Dara-Abrams et al. (US 6,826,512) further in view of Caswell et al. (US 5,964,891)**

In regards to claim 8, Iglehart et al. teaches a set of test procedures/operations (i.e. scripts) used sent over a network to diagnose a remote device (fig. 2-#52 col. 2 ll. 20-22; 36-41, col. 4 ll. 9-17).

Iglehart et al. does not disclose the set of test procedures/operations incorporated into a web page.

Dara-Abrams et al. teaches a graphical user interface (GUI) service selection menu (i.e. script menu) on a display device (fig. 2-#42) enabling a user to select a particular device and an associated service (i.e. script) to be executed at the particular device over a network (fig 2-18, 34, 40, col. 7 ll. 31-47).

Dara-Abrams et al. does not disclose the GUI as a web page.

Caswell et al. teaches a diagnostic terminal that allows a user or operator to generate a diagnostic request and send the diagnostic request to a diagnostic server. A web browser residing on the diagnostic terminal facilitates receiving a diagnostic request (i.e. scripts) in the diagnostic terminal (col. 4 ll. 27-29, col. 8 ll. 33-35). The diagnostic requests are rendered into a web page by the web browser. The plurality of scripts is embodied as test selections (fig 10-#410) a diagnostic request (fig. 10-413). The test selections change based upon the selection of a service (fig. 10-412) as it relates to a remote device identified (fig. 10-#411, col.8 ll. 54-67). Upon selection of a test selection the web page sends the diagnostic request to the remote device via a diagnostic server. After the diagnostic server invokes the diagnostic requests the results are sent back to a diagnostic terminal.

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Iglehart et al. in view of Dara-Abrams et al. By incorporating a plurality of scripts into a web page as taught by Caswell et al. for/in order to display simple executable instructions to a user/operator that allow the user/operator at a central location to access a remote device via a diagnostic server (col. 8 ll. 33-67).

Claim 12-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Caswell et al. (US 5,964,891) in view of Iglehart et al. (US 5,903,626)

In regards to claim 12,Caswell et al. discloses a system for use in remotely diagnosing electronic devices, comprising:

- a script generator coupled with a distributed network, wherein the script generator is configured to compile at least one script and forward that at least one script over the distributed network; Caswell et al. teach a script generator in the disclosure of a diagnostic terminal (fig. 3-#106) configured to send web page (col. 8 ll. 33-41) based diagnostic requests, for diagnosing a electronic device (fig. 105, &

(104,101,102,109.103 all of these devices can undergo diagnostic test), via a diagnostic server(fig. 2-#133,132,132,130,120, fig. 3-#130). Figure 2-#106 demonstrates where the diagnostic terminal is couple with the distributed network. The diagnostic requests are generated as a result of a web page receiving test selections for troubleshooting a selected electronic device; where the test selections (col. 8 ll. 54-61) include the test routines (col. 9 ll. 53-55) to be executed (col. 9 ll. 40-46) on the remote device. In Caswell et al.'s teachings, the compilation (col. 9 ll. 24-29) of the diagnostic request are performed at a web server (fig. 3-#30) and forwarded to a remote device via a diagnostic engine over the distributed network (fig. 1)

- remote diagnostic controller (fig. 3-140) coupled with the distributed network (see fig. 1) and with an electronic device to be diagnosed (fig. 105; & (104,101,102,109.103 all of these devices can undergo diagnostic test),
    - wherein the diagnostic controller (fig. 3-#400 diagnostic server/engine) is configured to receive the at least one script. Iglehart et al. teaches script in test routines within a diagnostic request sent to the diagnostic server for processing (col. 9 ll. 10-17,24-31, 40-50).
    - implement the at least one script such that the remote diagnostic controller (fig. 3-#140) forwards a first instruction to the electronic device to be performed by the electronic device, the remote diagnostic controller is further configured to receive a first reply from the electronic device. Caswell et al. teaches the diagnostic engine receives a diagnostic request, interprets and invokes the test routines that are specified in the diagnostic requests (col. 9 ll. 41-51)

Caswell et al. does not explicitly disclose:

- to forward a second and/or subsequent instructions to the electronic device based on the first reply and/or previous replies.

Iglehart et al. discloses:

A service technician or remote diagnostic device in a personal computer (col. 3 ll. 44-47) is configured to identify a remote device (i.e. subscriber phone) and send signals, containing sets of test procedures (i.e. scripts), to initiate trouble-shooting procedures within the remote device. After the trouble shooting program has completed the device send a response back to the diagnostic device which contain the trouble shooting results and a decision is made as to whether a second round of trouble shooting is necessary (col. 4 ll. 54-67, col. 5 ll. 1-5).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Caswell et al. by having determining whether a second round of trouble shooting is necessary, as taught by Iglehart et al. in order to gather diagnostic data pertaining to the remote device prior to repairing or making any necessary repairs on the remote device (col. 5 ll. 4-11).

In regards to claim 13,Caswell et al. discloses the system of claim 12, wherein the diagnostic controller (fig. 1-120,130-131, fig 3-140) is maintained within a host computer (fig. 3-101-104 , wherein the host computer provides processing capabilities for the diagnostic controller in determining the second instruction. Figure 5 discloses the process flow for the Caswell et al. system. A first instruction occurs at fig. 5-#305 where the first test for diagnosing a remote device occurs. The capability to determine a second instruction is discloses the decision block in fig. 5-#307. Here the system is ensuring that

all diagnostic test routines are complete for a remote device prior to transmitting the results to a diagnostic terminal (col. 10 line 38-56).

In regards to claim 14Caswell et al. does not disclose he system of claim 12, wherein the diagnostic controller is maintained within the electronic device, wherein the electronic device provides processing capabilities for the diagnostic controller in determining the second instruction.

Iglehart et al. discloses wherein an electronic device (i.e. phone) itself contains a diagnostic device for performing diagnoses of the electronic device (i.e. self-tests col. 4 ll. 24-29). Fig. 2 discloses the trouble-shooting process including at fig. 2-58 determining if a second instruction is necessary.

It would be obvious to one of ordinary skill in the art at the time of the invention to modify Caswell et al. by having determining whether a second round of trouble shooting is necessary, as taught by Iglehart et al. in order to gather diagnostic data pertaining to the remote device prior to repairing or making any necessary repairs on the remote device (col. 5 ll. 4-11).

In regards to claim 15, Caswell et al. discloses the system of claim 12, wherein the script generator is configured to incorporate the at least one script within a web page, and the web page is forwarded over the distributed network. Caswell et al. discloses a web page in fig. 10 that includes a number of scripts in the form of Test Selections (fig. 10-#413). Test selections change based on the device identification information(fig. 10-411,412, col. 8 ll. 54-59) entered by a user.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Ramberg; Jon R. et al. (US 6857013) Remote anomaly diagnosis and reconfiguration of an automatic data collection device platform over a telecommunications network
- Rangarajan; Govindarajan (US 5987514) System and method for advanced event request management for networks
- Middeke; Michael B. et al. (US 6445907) Method and system for remote diagnostics of a satellite receiver

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Carolyn F. Fleary whose telephone number is (571) 572-7218. The examiner can normally be reached on 8:30 - 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glenton Burgess can be reached on (571)272-3949. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Carolyn F Fleary
Examiner
Art Unit 2152

CFF

GLENTON B. BURGESS
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100